



COPY OF PAPERS
ORIGINALLY FILED 09/978/464.021106
Box Sec

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Graham *et al.*
Application No.: 09/978,464
Filed: 10/16/2001
Title: Enhanced System for Construction of
Adenovirus Vectors
Attorney Docket No.: ADVEC10IA-C1

Group Art Unit: 1636

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231
Attention: Box Missing Parts

Sir: This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Copy of the executed Declaration and Power of Attorney from parent application serial no. 09/415,899.
- (X) Statutory basic filing fee \$740.00. (X) Utility () Design
- (X) Additional claim fees of \$840.00 (\$252.00 for 14 total claims over 20 and \$588.00 for 7 independent claims over 3).
- (X) Missing Parts Surcharge of \$130.00.
- (X) Substitute drawings in compliance with 37 C.F. R. 1.84.
- (X) Abstract as required under 37 C.F.R. 1.72(b). This abstract was inadvertently omitted. The abstract, as provided herein, presents no new matter, and the 10/16/2001 filing date should stand as the filing date. Accordingly, it is requested under 37 USC 1.115 that the abstract, as provided herein, be added as page 99 to the application.
- (X) Sequence Listing on disk.
- (X) Sequence Listing Statement.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: 1/15/2002

Typed Name: Timothy H. Van Dyke

Signature:

Respectfully submitted,

By
Timothy H. Van Dyke, Reg. No. 43218

Date: 1/15/2002

Customer No: 29847
Van Dyke & Associates, P.A.
1630 Hillcrest Street
Orlando, FL 32803
Phone: 407-228-0328; Fax: 407-228-0329



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/978,464	10/16/2001	Frank L. Graham	ADVEC10IA-C1

29847
VAN DYKE & ASSOCIATES, P.A.
1630 HILLCREST STREET
ORLANDO, FL 32803

CONFIRMATION NO. 5099

FORMALITIES LETTER



OC00000007075530

Date Mailed: 11/15/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/13/2002 SMINASS1 00000063 09978464

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 OP
02 FC:103	252.00 OP
03 FC:102	588.00 OP
04 FC:105	130.00 OP

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$840.
 - \$252 for 14 total claims over 20.
 - \$588 for 7 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1710.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

- The paper or compact disc copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e). Applicant must provide a substitute paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application OR a substitute computer readable form (CRF) copy of the "Sequence Listing". These two items must be the same. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE